

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1431

Introduced by Matzke, 47; Wickersham, 49

Read first time January 20, 2000

Committee: Transportation and Telecommunications

A BILL

- 1 FOR AN ACT relating to motor vehicles; to amend section 60-315,
- 2 Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to the refund of fees; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-315, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-315. (1)(a) Upon transfer of ownership of any motor
4 vehicle or cabin trailer as defined in section 60-301, (b) in case
5 of loss of possession because of fire, theft, dismantlement, or
6 junking, (c) when a salvage certificate of title is issued, (d)
7 whenever a type or class of motor vehicle previously registered is
8 subsequently declared by legislative act or court decision to be
9 illegal or ineligible to be operated on the public roads and no
10 longer subject to registration fees, the motor vehicle tax imposed
11 in section 60-3002, and the motor vehicle fee imposed in section
12 60-3007, or (e) in case of a change in the situs of a motor vehicle
13 as defined in section 60-3001 to a location outside of this state,
14 the registration shall expire and the registered owner may, by
15 returning the registration certificate, the number plates, and,
16 when appropriate, the renewal tabs and by either making affidavit
17 to the county treasurer or designated county official as provided
18 in section 60-302 of the occurrence of an event described in
19 subdivisions (a) through (d) of this subsection or, in the case of
20 a change in situs, displaying to the county treasurer or designated
21 county official the registration certificate of such other state as
22 evidence of a change in situs, receive a refund of that part of the
23 unused fees on passenger vehicles, trucks, and cabin trailers based
24 on the number of unexpired months remaining in the registration
25 period from the date of the event, except that when such date falls
26 within the same calendar month in which the vehicle or trailer is
27 acquired, no refund shall be allowed for such month. The
28 registered owner shall make a claim for credit or refund of the

1 unused fees within sixty days from the date of the event or shall
2 be deemed to have forfeited his or her right to such refund. For
3 purposes of this subsection, the date of the event shall be, in the
4 case of a transfer or loss, the date of the transfer or loss, in
5 the case of a change in the situs, the date of registration in
6 another state, in the case of a legislative act, the effective date
7 of the act, and in the case of a court decision, the date the
8 decision is rendered. Application for registration or for
9 reassignment of number plates and, when appropriate, renewal tabs
10 to another motor vehicle or cabin trailer shall be made within
11 thirty days of the date of purchase.

12 (2) Whenever the registered owner files an application
13 with the county treasurer or designated county official showing
14 that a motor vehicle is disabled and has been removed from service,
15 the registered owner may, by returning the registration
16 certificate, the number plates, and, when appropriate, the renewal
17 tabs or, in the case of the unavailability of such certificate or
18 certificates, number plates, or tabs, then by making an affidavit
19 to the county treasurer or designated county official of such
20 disablement and removal from service, receive a credit for a
21 portion of the registration fee from the fee deposited with the
22 State Treasurer at the time of registration based upon the number
23 of unexpired months remaining in the registration year. The owner
24 shall also receive a credit for the unused portion of the motor
25 vehicle tax and fee based upon the number of unexpired months
26 remaining in the registration year. If the vehicle has a salvage
27 certificate of title and the salvage certificate of title was
28 issued as a result of an insurance company acquiring the vehicle

1 through a total-loss settlement, the unexpired months remaining in
2 the registration year for purposes of determining the credit for
3 the registration fee and for the motor vehicle tax and fee shall be
4 determined based on the date when the vehicle was damaged and
5 became unavailable for service. When the owner registers a
6 replacement vehicle at the time of filing such affidavit, the
7 credit may be immediately applied against the registration fee and
8 the motor vehicle tax and fee for the replacement vehicle. When no
9 such replacement vehicle is so registered, the county treasurer or
10 designated county official shall forward the application and
11 affidavit, if any, to the State Treasurer who shall determine the
12 amount, if any, of the allowable credit for the registration fee
13 and furnish a certificate therefor to the owner. For the motor
14 vehicle tax and fee, the county treasurer shall determine the
15 amount, if any, of the allowable credit and furnish a certificate
16 to the owner. When such motor vehicle is removed from service
17 within the same month in which it was registered, no credits shall
18 be allowed for such month. The credits may be applied against
19 taxes and fees for new or replacement vehicles incurred within one
20 year after cancellation of registration of the motor vehicle for
21 which the credits were allowed. When any such vehicle is
22 reregistered within the same registration year in which its
23 registration has been canceled, the taxes and fees shall be that
24 portion of the registration fee and the motor vehicle tax and fee
25 for the remainder of the registration year.

26 Sec. 2. Original section 60-315, Reissue Revised
27 Statutes of Nebraska, is repealed.